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CENTRAL FAX CENTER
Docket No.: 60095-0039

OCT 03 2006

REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-14 remain in this application. Claims 1-14 have been rejected.

Applicant thanks the Examiner for his comments during a 6 September 2006 interview.

Applicant has amended Claims 1 and 8 as discussed with the Examiner.

II. CLAIM REJECTIONS – 35 U.S.C. § 103

The Final Office Action rejected Claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Chauhan (hereinafter “Chauhan”) U.S. Patent No. 6,115,752 in view of Scharber (hereinafter “Scharber”) U.S. Patent No. 6,542,964. The rejection is respectfully traversed.

Claims 1 and 8 have been amended to clarify the claimed invention and appear as follows:

1. A method, comprising:
 - receiving a request from a user for a web page at a first web address, the first web address including a hostname;
 - determining traffic loads of a plurality of mirrored customer web servers, each of the customer web servers storing the web page;
 - determining a customer web server from the plurality of mirrored customer web servers that is appropriate for the request, the customer web server having a traffic load lower than traffic loads of remaining customer web servers from the plurality of mirrored customer web servers;
 - determining an IP address of the customer web server;
 - directing the request from the user to the customer web server;
 - receiving a request from the user for static content on the web page at a second web address, the second web address including the hostname;
 - determining service metrics of caching servers in a network of caching servers;
 - wherein a customer pays a fee to a service for use of the network of caching servers storing static content for the customer;
 - determining a caching server from the network of caching servers that is appropriate for the request for static content, the caching server having service

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metrics better than service metrics of remaining caching servers from the network of caching servers;

retrieving the static content from the caching server; and
providing the static content to the user.

8. A method, comprising:

receiving a first request from a client DNS server to resolve a first domain name, the client DNS server receiving a request from a user of a web page address that includes the first domain name;

determining load measurements of a plurality of mirrored customer web servers, each of the customer web servers addressable by the first domain name, and each of the customer web servers configured to service the request from the user;

determining a customer web server from the plurality of mirrored customer web servers, the customer web server having a traffic load lower than traffic loads of other customer web servers from the plurality of mirrored customer web servers;

determining an IP address of the customer web server;
providing the IP address of the customer web server to the client DNS

server;

receiving a second request from the client DNS server to resolve a second domain name, the client DNS server receiving a request from the user of a uniform resource locator that includes the second domain name;

determining performance metric measurement of caching servers in a network of caching servers, each of the caching servers addressable by the second domain name;

wherein a customer pays a fee to a service for use of the network of caching servers storing static content for the customer;

determining a caching server from the network of caching servers, the caching server having performance metrics lower than performance metrics of other caching servers from the network of caching servers;

providing an IP address of the caching server to the client DNS

server;

retrieving data from the caching server in response to the uniform resource locator; and

providing the data to the user.

Claims 1 and 8 have been amended to clarify the relationship of the customer and the network of caching servers. As discussed with the Examiner during the 6 September 2006 interview, neither Chauhan nor Scharber teach or disclose a method that performs functions across two distinct sets of servers, i.e., a plurality of mirrored customer Web servers and a network of caching servers, where the customer is a customer of a service and pays a fee to a service for use of the network of caching servers storing static content for the customer. Neither Chauhan nor Scharber contemplate such a method.

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For example, Chauhan does not teach or disclose a method that determines traffic loads of a plurality of mirrored customer web servers, each of the customer web servers storing the web page, determines a customer web server from the plurality of mirrored customer web servers that is appropriate for the request, the customer web server having a traffic load lower than traffic loads of remaining customer web servers from the plurality of mirrored customer web servers, determines service metrics of caching servers in a network of caching servers, determines a caching server from the network of caching servers that is appropriate for the request for static content, the caching server having service metrics better than service metrics of remaining caching servers from the network of caching servers, and wherein a customer pays a fee to a service for use of the network of caching servers storing static content for the customer as claimed in Claims 1 and 8. Chauhan's ONS 404 can only see Chauhan's mirrored servers 406a-406b and can only determine which mirrored server has the best route for a particular LNS (col. 7, lines 24-42). Chauhan's ONS has no visibility into a plurality of customer web servers where the customer pays a fee to a service for use of the network of caching servers storing static content for the customer.

Therefore, Chauhan in view of Scharber does not teach or disclose the invention as claimed.

Claims 1 and 8 are allowable. Claims 2-7, and 9-14 are dependent upon independent Claims 1 and 8, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

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III CONCLUSIONS & MISCELLANEOUS

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate.

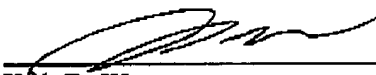
The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

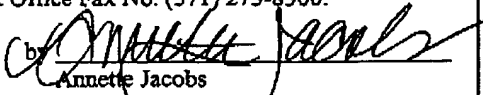
Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: October 3, 2006


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on <u>October 3, 2006</u>	by  Annette Jacobs